

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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EDDIE NILES HUBBARD,

Case No. 21-CV-982 (NEB/BRT)

Petitioner,

v.

**ORDER ACCEPTING REPORT AND  
RECOMMENDATION**

TRACEY BELTZ,

Respondent.

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The Court has received the April 16, 2021 Report and Recommendation of United States Magistrate Judge Becky R. Thorson. (ECF No. 5.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 5) is ACCEPTED;
2. This matter is DISMISSED WITHOUT PREJUDICE for lack of jurisdiction;
3. Eddie Niles Hubbard's Application to Proceed in District Court Without Prepaying Fees or Costs (ECF No. 3) is DENIED AS MOOT;

4. No certificate of appealability shall issue.

Dated: June 2, 2021

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge